

**REMARKS**

Claims 1-13 are pending in this application. By this Amendment, claims 1-3, 9 and 11-12 are amended.

The courtesies extended to Applicant's representative by Examiner Zanelli at the telephone interview held January 5, 2005 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

**I. Prior Art**

Applicants acknowledge that claims 1-13 are distinguishable over the prior art and that claim 13 is allowed.

**II. Claim Rejections Under 35 U.S.C. §112, Second Paragraph**

Claims 1-12 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Office Action asserts that:

A. Claim 1 is unclear whether "a value involved with rear wheel braking forces" is the same as "a first value involved with rear wheel braking force." Additionally, the Office Action asserts that the claim is unclear with regard to the limitation "higher,"

B. Claim 2 is unclear with regard to "the values involved with rear wheel braking force,"

C. Claim 3 is unclear as to which "second value" is being referred to.

D. Claim 9 is unclear regarding "the value" since multiple values have been previously recited in claim 1,

E. Claim 11 lacks antecedence in the following phrase, "the braking action by the driver detected by the detector,"

F. Claim 12 - the following phrases lack antecedence, "the master cylinder pressure" and "the rear wheel sensor," and

G. The Office Action asserts that all claims depending from a rejected base claim are also rejected as containing the same deficiencies.

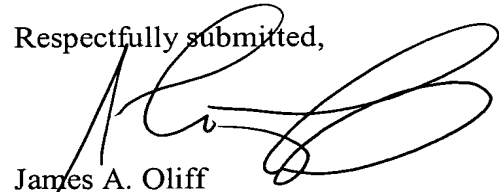
Applicants have amended the claims based on the Examiner's recommendations made in the Office Action. Therefore, the rejections have been obviated by this Amendment. It is respectfully requested that the Examiner reconsider and withdraw the rejections of claims 1-12.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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